

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

RECEIVED
CENTRAL FAX CENTER

MAR 15 2006

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office 1-571-273-8300

on March 15, 2006
DateLinda LaCone
SignatureLINDA LACONE
Typed or printed name of person signing Certificate

Registration Number, if applicable

412-366-6200
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Serial No. 08/421,810

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY

In The United States Patent and Trademark Office

RECEIVED
CENTRAL FAX CENTER

MAR 15 2006

In re application of

Alexander Conrad, et al.

Examiner: E. Holloway III

Serial No. 08/421,810

Filed April 13, 1995

Group Art Unit: 2635

Entitled: Intelligent Locator System

- - -oOo- - -

Pittsburgh, Pennsylvania 15237
March 15, 2006Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for reconsideration

Sir:

Applicants' filed an amendment and received in the Office on October 28, 2006 requesting entry of claims 102-107 corresponds to claims 7, 10, 17, 20, 27 and 30 of the Frederickson Patent No. 5,627,524 awarded to the Senior Party Conrad in Interference 105,352 by a decision dated October 13, 2005 by the Board of Patent Appeals and Interferences. An official communication dated March 3, 2006, refused entry of the amendment based on the contention that "—applicant did not file motion during interference to add or amend claims. See MPEP 2308.02."

Reconsideration is requested. The Boards decision, it is respectfully submitted, must be viewed awarding Senior party Conrad claims 1-30 of Junior Party Fredrickson. The board decision references no lesser of the Fredrickson claims. The Boards decision clearly

awarded these claims and entry is not contrary to the award and spirit of the award to the Party Conrad. Moreover, Section 2308.02 does not require the submission of claims only by motion during an interference. It is also submitted that the procedure outlined in section 2308.02 is exclusively for the matter of claims NOT within a count of an interference, since disposition of the claim submission is deferred for action by the examiner and not the Board until after the Boards decision.

For the forgoing reasons entry of applicants' amendment is respectfully requested.

Respectfully submitted,



Clifford A. Poff
Agent for Applicant
Registration No. 24,764

CAPoff/lcl
Enclosures
(412) 366-6200
FAX No. (412) 366-8203